

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PETER WEBER

v.

GUIDO ALEXANDER KRASS,
AN INDIVIDUAL AND DOES I-X


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Case No. 2:14-CV-0090-JRG-RSP

**ORDER ADOPTING REPORT AND RECOMMENDATION GRANTING
DEFENDANT'S MOTION TO DISMISS ON GROUNDS OF
FORUM NON CONVENIENS**

Before the Court is Plaintiff's Objections to the Magistrate Judge's Findings and Recommendations ("Plaintiff's Objections") (Dkt. No. 30). After reviewing Plaintiff's Objections, and having conducted a *de novo* determination of those portions of the Report and Recommendation as to which objection was made under Federal Rule 72(b)(3), and finding no error therein, the Court does hereby adopt the findings and recommendations of the Magistrate Judge. The Court specifically notes that most of the arguments are based on facts not previously argued in the briefs and not pleaded in the Complaint. Such matters beyond the scope of the pleadings are not a proper basis for objections. Accordingly, Plaintiff's objections are **OVERRULED** and the Magistrate Judge's Order Granting Defendant's Motion to Dismiss on Grounds on Forum Non Conveniens (Dkt. No. 30) is hereby **ADOPTED**. This action is hereby **DISMISSED WITHOUT PREJUDICE** to refile same in an appropriate court in Germany.

So ORDERED and SIGNED this 30th day of March, 2015.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE